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**UNITED STATES BANKRUPTCY COURT  
SOUTHERN DISTRICT OF NEW YORK**

-----X  
In re:

TRANSCARE CORPORATION,

Debtor.  
-----X

Chapter 7

Case No.: 16-10407 (SMB)

-----X  
In re:

TRANSCARE NEW YORK, INC.,

Debtor.  
-----X

Chapter 7

Case No.: 16-10408 (SMB)

-----X  
In re:

TRANSCARE ML, INC.,

Debtor.  
-----X

Chapter 7

Case No.: 16-10409 (SMB)

-----X  
In re:

TC AMBULANCE GROUP, INC.,

Debtor.  
-----X

Chapter 7

Case No.: 16-10410 (SMB)

-----X  
In re:

TRANSCARE MANAGEMENT  
SERVICES, INC.,

Debtor.  
-----X

Chapter 7

Case No.: 16-10411 (SMB)

-----X  
In re:

TCBA AMBULANCE, INC.,

Debtor.  
-----X

Chapter 7

Case No.: 16-10412 (SMB)

-----X  
In re: Chapter 7  
  
TC BILLING AND SERVICES  
CORPORATION, Case No.: 16-10413 (SMB)  
  
Debtor.

-----X  
In re: Chapter 7  
  
TRANSCARE WESTCHESTER, INC., Case No.: 16-10414 (SMB)  
  
Debtor.

-----X  
In re: Chapter 7  
  
TRANSCARE MARYLAND, INC., Case No.: 16-10415 (SMB)  
  
Debtor.

-----X  
In re: Chapter 7  
  
TC AMBULANCE NORTH, INC., Case No.: 16-10416 (SMB)  
  
Debtor.

-----X  
In re: Chapter 7  
  
TRANSCARE HARFORD COUNTY, INC., Case No.: 16-10417 (SMB)  
  
Debtor.

-----X  
**MOTION FOR AN ORDER PURSUANT TO RULE 1015(b) OF THE FEDERAL RULES  
OF BANKRUPTCY PROCEDURE REQUESTING JOINT ADMINISTRATION  
OF CHAPTER 7 CASES**

TO THE HONORABLE STUART M. BERNSTEIN,  
UNITED STATES BANKRUPTCY JUDGE:

Salvatore LaMonica, as interim Chapter 7 Trustee (the “Trustee”) of the estates of  
TransCare Corporation, TransCare New York, Inc., TransCare ML, Inc., TC Ambulance Group,  
Inc., TransCare Management Services, Inc., TCBA Ambulance, Inc., TC Billing and Services  
Corporation, TransCare Westchester, Inc., TransCare Maryland, Inc., TC Ambulance North, Inc.

and TransCare Harford County, Inc. (collectively, the “Debtors”), by his proposed counsel, LaMonica Herbst & Maniscalco, LLP, seeks the entry of an Order, pursuant to Rule 1015(b) of the Federal Rules of Bankruptcy Procedure, directing joint administration of the above-captioned cases for procedural purposes only and respectfully represents:

### **JURISDICTION**

1. This Court has jurisdiction over this Motion pursuant to 28 U.S.C. §§ 157 and 1334. This is a core proceeding pursuant to 28 U.S.C. § 157(b). Venue is proper in this Court pursuant to 28 U.S.C. §§ 1408 and 1409.

### **BACKGROUND**

2. On February 24, 2016 (the “Petition Date”), each of the Debtors filed voluntary petitions for relief under chapter 7 of title 11 of the United States Code (the “Bankruptcy Code”) in this Court.

3. On February 25, 2016, Salvatore LaMonica was appointed as the interim Chapter 7 Trustee in each of the Debtors’ cases and is currently acting in that capacity.

4. Debtor TransCare Corporation is the 100% owner, either directly or indirectly, of the other Debtor entities. The Debtors have extensive operations in New York State, with a large concentration in the New York City area. It is the Trustee’s understanding that, prior to the Petition Date, the Debtors operated as an integrated entity.

### **RELIEF REQUESTED AND BASIS FOR RELIEF**

5. By this Motion, the Trustee requests, pursuant to Rule 1015(b) of the Federal Rules of Bankruptcy Procedure (the “Bankruptcy Rules”), entry of the proposed order directing the joint administration of the Debtors’ chapter 7 cases for procedural purposes only. A proposed Order is annexed as **Exhibit A**.

6. Bankruptcy Rule 1015(b) provides, in relevant part, that if “two or more petitions are pending in the same court by or against . . . a debtor and an affiliate, the court may order a joint administration of the estates.” FED. R. BANKR. P. 1015(b).

7. Bankruptcy Code § 101(2) defines an “affiliate” as:

(A) entity that directly or indirectly owns, controls, or holds with power to vote, 20 percent or more of the outstanding voting securities of the debtor, other than an entity that holds such securities—

(i) in a fiduciary or agency capacity without sole discretionary power to vote such securities; or

(ii) solely to secure a debt, if such entity has not in fact exercised such power to vote;

(B) corporation 20 percent or more of whose outstanding voting securities are directly or indirectly owned, controlled, or held with power to vote, by the debtor, or by an entity that directly or indirectly owns, controls, or holds with power to vote, 20 percent or more of the outstanding voting securities of the debtor, other than an entity that holds such securities—

(i) in a fiduciary or agency capacity without sole discretionary power to vote such securities; or

(ii) solely to secure a debt, if such entity has not in fact exercised such power to vote;

(C) person whose business is operated under a lease or operating agreement by a debtor, or person substantially all of whose property is operated under an operating agreement with the debtor; or

(D) entity that operates the business or substantially all of the property of the debtor under a lease or operating agreement.

11 U.S.C. § 101(2).

8. The Debtors are “affiliates” as that term is defined under Bankruptcy Code § 101(2). As set forth above, Debtor TransCare Corporation is the 100% owner, either directly or indirectly, of the other Debtor entities. Accordingly, this Court is authorized to grant the requested relief.

9. Given the provisions of the Bankruptcy Code and the Bankruptcy Rules, as well as the Debtors' affiliation, joint administration of these cases is warranted. Joint administration will avoid the preparation, replication, service, and filing, as applicable, of duplicative notices, applications, and orders in each of the Debtors' cases, thereby saving considerable expense and resources.

10. Moreover, the relief requested will not adversely affect creditors' rights as this Motion requests only administrative, and not substantive, consolidation of the Debtors' estates. Each creditor may still file its claim against a particular estate. In fact, the reduced costs that will result from the joint administration of these cases will likely enhance the rights of all creditors.

11. Finally, the relief requested will relieve the Court of the burden of entering duplicative orders and maintaining duplicative files and dockets.

12. Accordingly, the Trustee respectfully request that the Court modify the caption of the Debtors' cases as follows:

UNITED STATES BANKRUPTCY COURT  
SOUTHERN DISTRICT OF NEW YORK

-----X  
In re:

Chapter 7

TRANSCARE CORPORATION, et al.,

Case No.: 16-10407 (SMB)  
(Jointly Administered)

Debtors.  
-----X

13. The Trustee also seeks the Court's direction that a notation substantially similar to the following notation be entered on the docket of each of the Debtors' cases to reflect the joint administration of these cases:

*An Order has been entered in this case directing the procedural consolidation and joint administration of the chapter 7 cases of TransCare Corporation, TransCare New York, Inc., TransCare ML, Inc., TC Ambulance Group, Inc., TransCare Management Services, Inc., TCBA Ambulance, Inc., TC Billing and Services Corporation, TransCare*

*Westchester, Inc., TransCare Maryland, Inc., TC Ambulance North, Inc. and TransCare Harford County, Inc. The docket in the TransCare Corporation Case No. 16-10407 (SMB) should be consulted for all matters affecting these cases.*

**NOTICE AND NO PRIOR REQUEST**

14. By separate application, the Trustee will seek the entry of an Order scheduling a hearing on shortened and limited notice of this Motion.

15. No previous request for the relief sought herein has been made by the Trustee to this or any other Court.

**WHEREFORE** the Trustee respectfully request that the Court grant the relief requested herein and such other and further relief as it deems just and proper.

Dated: February 26, 2016  
Wantagh, New York

**LaMONICA HERBST & MANISCALCO, LLP**  
Proposed Counsel to Salvatore LaMonica, as  
Chapter 7 Trustee

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